

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

SHANNON PHILLIPS,

Plaintiff,

v.

STARBUCKS CORPORATION,

Defendant.

CIVIL ACTION  
NO. 19-19432

**JURY VERDICT FORM**

**I. RACE DISCRIMINATION (Federal Claim)**

1. Do you find that Plaintiff has proven by a preponderance of the evidence under Title VII that her race was a determinative factor in Defendant's decision to terminate her?

Yes   X   No           

**If you answered "Yes" to Question 1, please skip to Question 3.**

**If you answered "No" to Question 1, please proceed to Question 2.**

2. Do you find that Plaintiff has proven by a preponderance of the evidence under Title VII that her race was a motivating factor in Defendant's decision to terminate her?

Yes            No           

**Please proceed to the next question.**

**II. RACE DISCRIMINATION (Federal Claim)**

3. Do you find that ~~Defendant~~ <sup>Plaintiff</sup> has proven by a preponderance of the evidence under Section 1981 that her race was a determinative factor in Defendant's decision to terminate her?

Yes   X   No

**Alternatives:**

If you answered “Yes” to Question 1 or Question 2, and “Yes” to Question 3, please proceed to Question 4. If you answered “No” to Questions 1 or 2, but “Yes” to Question 3, please proceed to Question 4. If you answered “No” to Question 3, but “Yes” to either Question 1 or Question 2, please proceed to Question 4. If you answered “No” to Questions 1, 2, and 3, please proceed to Question 8.

**III. DAMAGES UNDER TITLE VII AND SECTION 1981**

4. Has Plaintiff proven by a preponderance of the evidence that she suffered compensatory damages for race discrimination as noted by a “Yes” response to Questions 1, 2, or 3?

Yes   X   No           

If you answered “Yes” to Question 4, please proceed to Question 5 and provide the amount of compensatory damages that you award for race discrimination. If you do not award compensatory damages, you may not award punitive damages.

**Compensatory Damages**

5. What amount of money do you award Plaintiff as compensatory damages for violation of her federally protected right not to be discriminated against in employment on account of her race?

\$   300,000  

**Please proceed to the next question.**

**Punitive Damages**

6. Do you find that Plaintiff has proven by a preponderance of the evidence that when Defendant terminated Plaintiff it did so with reckless indifference to Plaintiff's federally protected right not to be discriminated against in employment on account of her race?

Yes   X   No           

**If you answered "Yes" to Question 6, please proceed to Question 7.**

7. What amount of money do you award Plaintiff as punitive damages for violation of her federally protected right not to be discriminated against in employment on account of her race?

Punitive Damages: \$   12,500,000  

**Please proceed to Question 8.**

**IV. RACE DISCRIMINATION (New Jersey Law Against Discrimination)**

8. Do you find that Plaintiff has proven by a preponderance of the evidence that Defendant violated the New Jersey Law Against Discrimination when it terminated Plaintiff?

Yes   X   No           

**If you answered "Yes" to Question 8, please proceed to Question 9. If you answered "No" to Question 8, your deliberations are finished and you are to follow the instructions after Question 12.**

**V. DAMAGES UNDER NEW JERSEY LAW AGAINST DISCRIMINATION**

9. Has Plaintiff proven by a preponderance of the evidence that she suffered compensatory damages for race discrimination as noted by the "Yes" response to Question 8?

Yes   X   No           

**If you answered "Yes" to Question 9, please proceed to Question 10 and provide the amount of compensatory damages that you award for race discrimination. If you do not award compensatory damages, you may not award punitive damages.**

10. What amount of money do you award Plaintiff as compensatory damages for violation of Plaintiff's state protected right not to be discriminated against in employment on account of her race?

\$   300,000  

**Please proceed to the next question.**

11. Do you find that Plaintiff has proven by clear and convincing evidence that at least one member of Defendant's "upper management" employees acted in wanton and willful disregard of Plaintiff's right not to be discriminated against in employment on account of her race?

Yes   X   No           

**If you answered "Yes" to Question 11, please proceed to Question 12. If you answered "No" to Question 11, your deliberations are finished and you are to follow the instructions after Question 12.**

12. What amount of money do you award Plaintiff as punitive damages for violation of her state protected right not to be discriminated against in employment on account of her race?

Punitive Damages: \$ 12,500,000

**You have finished your deliberations. Please have the foreperson sign and print his or her name where shown below, and tell the Court Attendant that you have concluded your deliberations.**

SIGNED BY JURY FOREPERSON:



NAME

6/12/23

DATE